

EXECUTIVE OFFICE,

AUSTIN, TEXAS, May 2, 1874.²⁸

To the Hon. House of Representatives of the State of Texas:

Gentlemen—I return herewith without my approval House Bill No. 385, being an act to limit the power of taxation in cities and towns.

I would gladly approve this bill because its principal features I believe to be highly expedient, were it not for the second proviso, found in it, in these words: “*And provided further*, that if any city or town shall desire to expend in any one year more than one-half of one per cent. it shall first obtain the consent of a majority of the persons assessed for an *ad valorem* tax upon real or personal property in such city or town at an election to be held for that purpose, etc., etc.” This clause, in so far as it restricts the right to vote on the question to those persons who have been or are assessed for an *ad valorem* tax on real and personal property, in such city or town, holding the election, is to my mind manifestly repugnant to section one, article three, of the Constitution, which defines the qualifications of electors.

This section of the Constitution declares in substance that every male citizen of the United States, twenty-one years of age, who has resided twelve months in the State, next preceding an election, and the last six months within the district or county where he offers to vote, and is duly registered, shall be deemed a qualified elector. I do not believe it competent for the Legislature to add to these the additional requirement that one shall have real or personal property which has been assessed for tax before he can vote in the city or town of his residence.

The Constitution treats all men as equal as respects the question of suffrage, and leaves no discretion with the Legislature to make distinctions between those who have and those who have not property.

I respectfully ask that this bill be reconsidered.

Very respectfully,

RICHARD COKE, Governor.

²⁸*House Journal*, 671.

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